IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

M3 GIRL DESIGNS, LLC	§	
a Texas Limited Liability Company	§	
Plaintiff,	§	
	§	
vs.	§	CIVIL ACTION NO. 3-09CV2390-F
	§	
BLUE BROWNIES, LLC	§	
an Arkansas Limited Liability Company,	§	
CHARLOTTE LILES,	§	
an individual residing in Arkansas,	§	•
KRISTA DUDTE,	§	·
an individual residing in Arkansas,	§	
Defendants.	§	

DEFENDANTS KRISTA DUDTE AND CHARLOTTE LILES' MOTION TO WITHDRAW PLEA TO THE JURISDICTION

COMES NOW Defendant KRISTA DUDTE ("Dudte") and Defendant CHARLOTTE LILES ("Liles") and files this Motion to Withdraw their Plea to the Jurisdiction in this matter. In support thereof, Defendants Dudte and Liles would respectfully show the Court as follows:

I.

On January 11, 2010, Dudte and Liles filed their Rule 12b Motion to Dismiss for Lack of Personal Jurisdiction herein. *See* Docket #7. Plaintiff M3 Girl Designs, LLC ("M3 Girl") responded on February 24, 2010, with the filing of a Motion for Leave to Take Jurisdictional Discovery relative to same. *See* Docket #15. On March 22, 2010, the Court granted Plaintiff leave to take jurisdictional discovery limited to the issue of its personal jurisdiction over Defendants Dudte and Liles in this matter.

II.

2. An agreement to compromise and settle Plaintiff's claims against Defendant Liles was subsequently reached and is in the process of being finalized, at which time a Final Consent Judgment will be submitted to the Court that will resolve all pending claims against Defendant Liles. As a result of these changed circumstances, Defendants Dudte and Liles hereby move to withdraw their Rule 12b Motion to Dismiss for Lack of Personal Jurisdiction.

WHEREFORE, PREMISES CONSIDERED, Defendants Dudte and Liles pray that the Court grant their Motion to Withdraw Plea to the Jurisdiction, along with such other and further relief to which said Defendants may be justly entitled.

Respectfully submitted,

FANNING HARPER MARTINSON BRANDT & KUTCHIN, P.C.

By: <u>s/Don Martinson</u>

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

Per Fed.R.Civ.P. 5(b), I certify that on the 9th day of July, 2010, I electronically filed per Local Rule 5.1(d) of the Northern District of Texas the foregoing with the Clerk of Court using the ECF system which will send notification of such filing to the following:

D. Scott Hemingway Eugenia S. Hansen Hemingway & Hansen, L.L.P. 1717 Main Street, Suite 2500 Dallas, TX 75201 Counsel for Plaintiff

s/Don Martinson

DON MARTINSON